

Jim Christiansen
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To: kcgee@unitedpark.com
cc:

Subject: Summary of Rich Flats Discussion

I know I breezed through a few points yesterday and you didn't have the SOW in front of you, so I wanted to rehash a few things in writing. I also added a few things.

1. Kevin was right on the letter to KPCW, we probably should have sent it around. It wasn't intentional, just something I assumed would be fine and needed to do quick. I think Catherine may have asked me if we should send it out, and I said no. I will likely do things like this in the future, so keep reminding me if a screw up from time to time.
2. When you rework the work plan, ensure it follows the same general format as the SOW. That is, it should address each of the key sections and subsections. Also, ensure the work plan is restrictive enough to give UPCM a good feel on what they are doing, but doesn't overly bind EPA from requiring you to take extra actions if they are required (ie comments 1 and 2 on my original 11/19/99 letter. The SOW does this, just make sure the work plan doesn't contradict it.
3. A bit more discussion on conceptual site models. A conceptual site model, according to an EPA definition, has to do with risk assessment more than anything. I can give you examples if you wish. The term is often used to define a "model" of any environmental situation, such as conceptual depiction of the hydrogeology and physical setting of a site. Don't confuse the two, it will cause heartburn to our toxicologists. UPCM and EPA will have to develop an EPA conceptual site model down the road, and we can work on a preliminary one now which will guide sampling. Jim has flirted with this concept in the original work plan submittal.
4. In the site background and visit section, add the fact the EPA and UDEQ have visited the site often and are extremely familiar with the physical setting and site background. The last ten + years have served as background for everyone.
5. The language in the project planning section, and later in the Task 5 section, is good. It is less biased than the original submittal, leaves the door open for EPA to evaluate everything we need to, but also gets across the existing situation and UPCM's ideas.
6. Task 3, section b gets at UPCM's willingness to discuss data which EPA may require to perform a risk assessment. This is good and satisfies my concerns, but it is important that we work together while we are developing the work plan and the SAP to ensure we collect everything we need to conduct the risk assessments. I would suggest you add a sentence to that effect so it doesn't appear UPCM is only willing to work with us after the RI data is presented.
7. I like the editorial language you have inserted in Task 5, which shows clearly that UPCM does the work and provides a recommendation on what to do, and it is up to EPA to determine what to do. That is the truth in law and won't change.
8. Combine Tasks 5 and 6 into one step. Keep both tasks separate in the SOW, but explain that Task 5 won't be carried out in full (because of the extensive data available on the site, the number of other sites in the region that are similar, and the fact that EPA is working on presumptive remedies for inorganics in soil). Instead, state that Task 5 will be condensed into Task 6, and a limited number of alternatives will be screened in detail. I condensed the draft AOC in this manner, so you might want to look at the final language there.
9. You should probably provide Mo a copy of this SOW soon. I suggest we meet face to face with the State soon to go through the work plan revision before you make it final.

Any questions, give me a call. Jim